IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)				
	Plaintiff,) 8:08CR214)		
	vs.) DETENTION ORDER		
DE	ANNA M. JAYNES,			
	Defendant.	}		
A.	After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on June 6, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 			
C.	possession with intent to one in violation of 21 U.S.C. § sentence of twenty years (b) The offense is a crime of twenty in the offense involves a new control of the offense involves a new control of the offense involves a new control of the offense involves and the offense involves a new control of the offense involves and the offense involves	and includes the following: e offense charged: n of methamphetamine (2 counts) and the distribute methamphetamine(1 count) each 841(a)(1) and each carrying a maximum imprisonment. violence.		
	may affect wheth The defendant h X The defendant h X The defendant h The defendant is X The defendant of Past conduct of X The defendant h The defendant h The defendant h The defendant h Court proceeding	appears to have a mental condition which the the defendant will appear. It is not a long time resident of the community. It is not a long time resident of the community. It is not have a stable residence. It is a history relating to drug abuse. It is a history relating to alcohol abuse. It is a prior record of failure to appear at		

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	· · · · · · · · · · · · · · · · · · ·	ease pending trial, sentence, appeal or completion of itence.
	(c) Other Facto	
		e defendant is an illegal alien and is subject to
		oortation. e defendant is a legal alien and will be subject to
		portation if convicted.
	The (Ble	e Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal. er:
Χ	(4) The nature and	seriousness of the danger posed by the defendant's
	release are as follo	ws: The nature of the charges in the Indictment and the all and drug abuse history.
Х	(5) Rebuttable Presu	motions
		the defendant should be detained, the Court also relied
	on the following	rebuttable presumption(s) contained in 18 U.S.C. §
		Court finds the defendant has not rebutted:
		ondition or combination of conditions will reasonably appearance of the defendant as required and the safety
		person and the community because the Court finds that
	the crime in	volves:
		A crime of violence; or
	(2)	An offense for which the maximum penalty is life imprisonment or death; or
	X (3)	A controlled substance violation which has a maximum
	(0)	penalty of 10 years or more; or
	(4)	A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above
		which is less than five years old and which was
committed while the defendant was on pretrial release.		
		ondition or combination of conditions will reasonably
		appearance of the defendant as required and the safety
	cause to be	nunity because the Court finds that there is probable
		That the defendant has committed a controlled
	<u></u>	substance violation which has a maximum penalty of
		10 years or more.
	(2)	That the defendant has committed an offense under 18
		U.S.C. § 924© (uses or carries a firearm during and in
		relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous
		weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.
- Pretrial Services shall obtain a substance abuse evaluation and provide a copy of the report to the court and counsel. Thereafter, any party may move to reconsider this order of detention.

DATED: June 6, 2008.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge